



Capitol Buildings Planning Commission

2013 INTERIM REPORT

*Legislative Council Service
411 State Capitol
Santa Fe, New Mexico 87501
www.nmlegis.gov*

**CAPITOL BUILDINGS
PLANNING COMMISSION**

2013

INTERIM REPORT

CAPITOL BUILDINGS PLANNING COMMISSION

2013 INTERIM REPORT

TABLE OF CONTENTS

- A. STATUTORY AUTHORITY**
- B. MEMBERSHIP**
- C. OPEN MEETINGS RESOLUTION**
- D. 2013 INTERIM SUMMARY**
- E. HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION
1997-2013**
- F. AGENDAS**
- G. MINUTES**

**A. STATUTORY
AUTHORITY**

15-10-1. Capitol buildings planning commission created.

A. The "capitol buildings planning commission" is created. The commission shall be composed of four members of the legislature, two from each house, appointed by the New Mexico legislative council, the secretary of general services or the secretary's designee, the state treasurer or the state treasurer's designee, the secretary of transportation or the secretary's designee, the secretary of cultural affairs or the secretary's designee, the secretary of finance and administration or the secretary's designee, the commissioner of public lands or the commissioner's designee and the chair of the supreme court building commission or the chair's designee.

B. The commission shall:

(1) study and plan for the long-range facilities needs of state government in the greater metropolitan areas of Las Cruces, Santa Fe and Albuquerque and, after developing an initial master plan for the state facilities in those areas, conduct a review of state properties throughout the state for the development of an overall master plan;

(2) review proposed lease-purchase agreements pursuant to Section 15-10-2 NMSA 1978;

(3) work with the general services department and other state agencies in developing recommendations for addressing deferred maintenance on state facilities and disposal strategies for aging facilities no longer able to serve their mission; and

(4) utilizing life cycle costing, work with the general services department in developing recommendations regarding whether the state should lease, lease-purchase or purchase needed additional facilities.

C. The legislative council service shall provide staff for the commission in coordination with the staff architect and other staff of the property control division of the general services department.

D. The commission shall meet regularly and shall report annually to the legislature on an annual update of the master plan for the long-range facilities needs of state government in the greater metropolitan areas of Las Cruces, Santa Fe and Albuquerque and throughout the state.

History: Laws 1997, ch. 178, § 5; 2002, ch. 69, § 1; 2003, ch. 110, § 1; 2007, ch. 64, § 1; 2009, ch. 19, § 1.

15-10-2. Capitol buildings planning commission; review of lease-purchase agreements.

A. Before submitting a proposed lease-purchase agreement to the legislature for ratification and approval pursuant to Section 15-3-35 NMSA 1978, the proposed lessee shall notify the commission. The commission shall review a proposed lease-purchase agreement if:

(1) the total lease revenues to be generated during the term of the lease-purchase agreement, including any possible extensions or renewals, exceed five million dollars (\$5,000,000); or

(2) pursuant to criteria adopted by the commission, the commission selects the lease-purchase agreement for review.

B. A review conducted pursuant to this section shall include findings by the commission as to whether:

(1) the leasehold property and the term of the lease-purchase agreement are sufficient to meet the identified needs of the state agency that will occupy the leasehold property;

(2) the payment of all lease revenues due pursuant to a lease-purchase agreement will be sufficient, at the end of the term of the lease-purchase agreement, to acquire ownership of the leasehold property;

(3) the lease-purchase agreement provides that there is no legal obligation for the state or state agency to continue the lease-purchase agreement from year to year or to purchase the leasehold property, and that the lease-purchase agreement shall be terminated if sufficient appropriations are not available to meet the current lease payments; and

(4) the lease-purchase agreement is the most cost-effective alternative for acquiring the leasehold property, taking into account currently available alternative lease arrangements, lease-purchase agreements or other financing arrangements permitted by law.

C. After a review pursuant to this section, the commission shall submit its findings and recommendations to the legislature.

D. As used in this section:

(1) "commission" means the capitol buildings planning commission;

(2) "facilities" means buildings and the appurtenances and improvements associated therewith, including the real estate upon which a building is constructed; suitable parking for use of the building; utilities, access roads and other infrastructure; and related real estate. "Facilities" can also mean undeveloped or developed real estate that is transferred or leased with the intent that a new building or improvement be constructed thereon;

(3) "lease-purchase agreement" means a financing agreement for the leasing of facilities by the state or a state agency from a public or private entity with an option to purchase the leasehold property for a price that is reduced according to the payments made pursuant to the financing agreement;

(4) "leasehold property" means facilities that are subject to a lease-purchase agreement;

(5) "lease revenues" means the amounts payable pursuant to a lease-purchase agreement; and

(6) "state agency" means any department, branch, institution, board, officer, bureau, instrumentality, commission, district or committee of government of the state of New Mexico except:

(a) the state armory board;

(b) the commissioner of public lands;

(c) state institutions under the jurisdiction of the higher education department;

(d) the economic development department when the department is acquiring property pursuant to the Statewide Economic Development Finance Act [6-25-1 NMSA 1978];

(e) the public school facilities authority when the authority is acquiring property pursuant to the Public School Capital Outlay Act [22-24-1 NMSA 1978]; and

(f) a state-chartered charter school.

History: 1978 Comp., §15-20-2, as enacted by Laws 2009, ch. 19, §2.

B. MEMBERSHIP

MEMBERSHIP

The Capitol Buildings Planning Commission (CBPC) is an intergovernmental agency created in 1997 to conduct long-range facilities master planning for all state agencies in Santa Fe. Over the years, its master planning jurisdiction has been expanded to include the major metropolitan areas of New Mexico and an inventory of all state facilities for the development of a statewide master plan (Section 15-10-1 NMSA 1978). Since its inception, the commission has developed metropolitan area master plans and endorsed legislation to study and finance the construction of state government facilities in New Mexico. Recently, the CBPC developed guidance materials for the review process of lease-purchase financing agreements for the construction of state facilities.

Additionally, the CBPC works with the General Services Department (GSD) and other state agencies in developing recommendations for addressing deferred maintenance on state facilities and disposal strategies for aging facilities that are no longer able to serve their mission. Using life-cycle costing, the CBPC works with the GSD in developing recommendations regarding whether the state should lease, lease-purchase or purchase needed additional facilities.

The commission is composed of 11 members:

- four members of the legislature, two from each house appointed by the New Mexico Legislative Council;
- the secretary of general services;
- the state treasurer;
- the secretary of transportation;
- the secretary of cultural affairs;
- the secretary of finance and administration;
- the chair of the Supreme Court Building Commission; and
- the commissioner of public lands.

Each of the nonlegislative members may name a designee to serve in the member's place. Representative Ken Martinez, speaker of the house of representatives, and Edwynn L. Burckle, secretary of general services, co-chaired the commission during the 2013 interim.

The CBPC does not have a budget; however, the Legislative Council Service (LCS) provides staff for the commission in coordination with the Facilities Management Division staff. Contract master planners, coordinated by the staff and directed by the commission, provide primary master planning services. The commission meets primarily during the interim months, convening after the close of the legislative session.

C. OPEN MEETINGS RESOLUTION

**Capitol Buildings Planning Commission
of the State of New Mexico**

August 7, 2013

Open Meetings Resolution

WHEREAS, the Capitol Buildings Planning Commission met in regular session on August 5, 2013 pursuant to statute; and

WHEREAS, Section 10-15-1(B) NMSA 1978 of the Open Meetings Act (Sections 10-15-1 through 10-15-4 NMSA 1978) states that, except as may be otherwise provided in the constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission or other policymaking body of any state agency held for the purpose of formulating public policy, discussing public business or for the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meetings subject to the Open Meetings Act at which the discussion or adoption of any proposed resolution, rule, regulation or formal action occurs shall be held only after reasonable notice to the public; and

WHEREAS, Section 10-15-1(D) NMSA 1978 of the Open Meetings Act requires the Capitol Buildings Planning Commission to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by the Capitol Buildings Planning Commission that:

1. All meetings shall be held at the State Capitol in Santa Fe, New Mexico, or as indicated on the meeting notice.
2. Regular meetings shall be held as determined at the call of the chair or co-chairs. All meetings will be held in the State Capitol unless notice of another location has been given. The agenda for each regular meeting will be available at least seventy-two hours prior to the meeting from the Legislative Council Service, whose office is located in Room 411 of the State Capitol in Santa Fe, New Mexico. Notice of any other regular meetings held at the call of the co-chairs will be held only after reasonable notice is given to the public. The notice shall indicate how a copy of the agenda may be obtained.
3. Special meetings may be called by the chair or co-chairs or by a majority of the members upon three days' notice. The notice shall include an agenda or information on how an

August 7, 2013

agenda may be obtained. The agenda must be available to the public at least twenty-four hours before any special meeting.

4. Emergency meetings will be called only under unforeseen circumstances that demand immediate action to protect the health, safety and property of citizens. The Capitol Buildings Planning Commission will avoid emergency meetings whenever possible. Emergency meetings may be called by the chair or co-chairs or by a majority of the members upon twenty-four hours' notice unless threat of personal injury or property damage requires less notice. The notice shall include an agenda or information on how the public may obtain a copy of the agenda.

5. For the purposes of regular, special and emergency meetings described in this resolution, notice requirements shall be met if notice of the date, time, place and agenda or information on how an agenda may be obtained is available at the Legislative Council Service and is posted on the legislative web site (www.nmlegis.gov).

6. For the purposes of emergency meetings described in Paragraph (4) of this resolution, notice requirements shall be met if available at the Legislative Council Service and posted on the legislative web site (www.nmlegis.gov), and oral or written notice of the date, time, place and general subject matter to be discussed at the meeting is given to the news media and to all affected entities as soon as it is practical.

7. In addition to the information specified above, all notices issued following the adoption of this resolution shall include the following language:

If you require special accommodations, such as a hearing interpreter, to participate in a meeting, please contact the Legislative Council Service at least five working days prior to the scheduled meeting day at (505) 986-4600 or by TDD phone at (505) 986-4653. Public documents from these meetings are available in alternative formats upon request.

8. If it is otherwise difficult or impossible for a member of the Capitol Buildings Planning Commission to attend any meeting in person and if necessary to achieve a quorum at such a meeting, members may participate in a meeting by means of a conference telephone or other similar communications equipment, provided that each member participating by conference telephone can be identified when speaking, all participants are able to hear each other at the same time and members of the public attending the meeting are able to hear any member who speaks during the meeting.

9. The Capitol Buildings Planning Commission may close a meeting to the public only if the subject matter of such discussion or action is exempted from the open meeting requirement under Section 10-15-1(H) NMSA 1978 of the Open Meetings Act.

(a) If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of the Capitol Buildings Planning Commission taken during the open meeting. The authority for the closure and the subjects to be discussed shall be stated with reasonable specificity in the motion for closure, and the vote on closure of each individual member shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in a closed meeting.

(b) If the decision to hold a closed meeting is made when the Capitol Buildings Planning Commission is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed in reasonable specificity, is given to the members and to the general public.

(c) Following completion of any closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.

(d) Except as provided in Section 10-15-1(H) NMSA 1978, any action taken as a result of discussions in a closed meeting shall be made by vote of the Capitol Buildings Planning Commission in an open public meeting.

Passed by the Capitol Buildings Planning Commission this 5th day of August, 2013.

Authorized Signature

Authorized Signature

D. 2013 INTERIM SUMMARY

2013 Interim Summary

During the 2013 interim, the Capitol Buildings Planning Commission (the commission) convened on August 5, September 3, October 4 and November 12. Members of the public were able to provide input at meetings. The commission also heard testimony from state agency staff about capital projects, renovations, acquisitions and leasing. Moreover, multiple staff and consultant workshops and meetings were conducted throughout the interim to address master planning, life-cycle costing and asset management, the statewide inventory database and the capital needs of several agencies, among other capital issues further explored in the minutes that are part of this interim report.

Facilities Master Planning

The commission and staff, in collaboration with state agency staff, continuously investigate various master planning opportunities and examine capital concerns. In addition to exploring substance abuse facility master planning for the Human Services Department, the consultants continue to work with state agencies to validate data for the statewide inventory database.

Space Utilization

The commission heard testimony about the optimization of space use in a manner that best meets state agencies' mission requirements while reducing their energy expenditures, water usage and footprint. The commission also heard about and considered the relative costs, benefits and detriments of owning versus leasing facilities for state agency use.

A presentation was made to the commission about the State of New Mexico Space Standards. The space standards were adopted in 2000 as a basis for establishing policies, standards and processes to provide state employees with functional work environments appropriate for required tasks and to maximize the efficient use of space. The space standards also serve as a tool for planning new projects, major remodeling, space reassignment and leased space. The space standards could be used as a basis upon which to formulate annual capital outlay requests through the General Services Department and the Department of Finance and Administration.

Despite their utility, the space standards adopted in 2000 sorely need updating, since technologies, programs and cost and use considerations have changed since then. The commission authorized the consultants to review the space standards and to recommend updates during the upcoming interim.

Capital Improvement Needs

The commission heard some of the capital improvement needs of the following state agencies: the Cultural Affairs Department; the Administrative Office of the Courts; the Department of Health; the State Records Center and Archives; the Department of Transportation; the Department of Public Safety; the Corrections Department; the Department of Military Affairs; and the Motor Vehicle Division of the Taxation and Revenue Department.

2013 Legislation

At the August 5 meeting, the commission reviewed General Services Department-related legislation enacted in 2013: Senate Bill 339 combines the former Property Control Division and Building Services Division of the General Services Department into the Facilities Management Division; Senate Bill 572 allows the Property Control Reserve Fund to be used statewide for the purchase or construction of state buildings; Senate Bill 341 increases the cap on building and remodeling contracts from \$500,000 to \$5 million and eliminates the requirement that the Facilities Management Division report contracts at State Board of Finance meetings; Senate Bill 340 allows the Facilities Management Division to contract for design and build projects that are in the best interests of the state or a local public body without a \$10 million contract limit; and Senate Bill 266 amends the Procurement Code procedures for contracting for architectural and engineering services such that a single contract is capped at \$500,000 and multiple projects with a single contractor may not exceed \$2 million over a four-year period.

**E. HISTORY OF LEGISLATION
RELATING TO THE CAPITOL
BUILDINGS PLANNING
COMMISSION 1997-2013**

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

1997		
1997	House Bill 1268 (B. Lujan), Chapter 178, Section 5. Compiled under Section 15-10-1 NMSA 1978.	In Section 5 the CBPC is created to study and plan for the long-range facilities needs of state government in Santa Fe. Chapter 178 also contains appropriations for the Capitol North and state library original renovations.
1998		
1998	House Bill 211 (B. Lujan), Chapter 58. Compiled under Section 15-3B-20 NMSA 1978.	Established the "Property Control Reserve Fund", which consists of appropriations, money from sale of real estate, gifts, etc., to be used for purchasing or constructing state office buildings in Santa Fe subject to appropriation by the legislature. Money in the fund is not subject to reversion to the general fund.
1998	SJR 13 (Maes).	Charged the CBPC with review of the disposition of the properties known as La Villa Rivera, Marian Hall and Cathedral Park.
1998	Senate Bill 322 (Fidel), Chapter 70.	Provided \$150,000 for a master plan and \$150,000 for a repair-and-replacement study for state facilities in Santa Fe.
2000		
2000	<i>Senate Bill 134 (Fidel), failed.</i>	Would have authorized the Property Control Division (PCD) of the General Services Department (GSD) to acquire various office buildings in Santa Fe County for the use of state office buildings, and would have authorized the State Board of Finance to issue and sell state office building tax revenue bonds in compliance with the State Office Building Acquisition Bonding Act.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2000	<i>Senate Bill 135 (Fidel), failed.</i>	Would have created the State Office Building Acquisition Bonding Act.
2001		
2001	Senate Bill 182 (Fidel), Chapter 166. Compiled under Section 6-21C-4 NMSA 1978.	Legislature authorized the PCD to acquire various office buildings and land in Santa Fe County for use as state office buildings, as recommended in the master plan, and authorized the New Mexico Finance Authority (NMFA) to issue up to \$75 million in revenue bonds for the purchase of properties. The properties included: construction of a new office at the West Capitol complex; purchase of the National Education Association (NEA) Building; purchase of the Public Employees Retirement Association (PERA) Building; and purchase of land on Cerrillos Road in Santa Fe, located adjacent to the District 5 office of the Department of Transportation (DOT).
2001	Senate Bill 214 (Fidel), Chapter 199. Compiled under Chapter 6, Article 21C NMSA 1978.	Enacted the State Office Building Acquisition Bonding Act, which was in 2003 renamed the State Building Bonding Act. Offered the financing source for the West Capitol complex, NEA and PERA buildings and land on Cerrillos Road adjacent to the DOT District 5 office. The bill earmarked a distribution (intercept) of state gross receipts tax revenue, up to \$500,000 per month, to buy and build state office buildings; the NMFA is authorized to sell state office buildings tax revenue bonds to acquire the state office buildings authorized in Senate Bill 182. (The NMFA issued the first series of state office building tax revenue bonds, totaling \$34.7 million, on December 13, 2001.)

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2002		
2002	Senate Bill 111 (Fidel), Chapter 69. Compiled under Chapter 15, Article 10 NMSA 1978.	Amendment to include the Albuquerque Master Plan within the purview of the CBPC.
2002	House Bill 88 (Sandoval), Chapter 110.	Appropriated bond funding of \$3 million to plan, design, construct and equip a state lab at the University of New Mexico (UNM) in Albuquerque. Funding was programmed to four labs to include the state police crime lab, Office of the Medical Investigator, the Department of Health (DOH) scientific lab and the Department of Agriculture lab.
2003		
2003	Senate Bill 689 (Fidel), Chapter 110. Compiled under Section 15-10-1 NMSA 1978.	Added the secretary of transportation and the secretary of cultural affairs to the CBPC membership.
2003	House Bill 496 (Coll), Chapter 371. Compiled under Section 6-21C-5 NMSA 1978.	Renamed the State Office Building Acquisition Bonding Act as the State Building Bonding Act; changed the name of the State Office Building Bonding Fund to the State Building Bonding Fund; and expanded the act's purpose to authorize the NMFA to issue and sell bonds through the State Building Bonding Fund for renovation and maintenance of existing structures and development of permanent exhibits for state museums, including monuments.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2003	House Bill 594 (Coll), Chapter 372. Compiled under Section 6-21C-5 NMSA 1978.	Authorized the NMFA to issue and sell state museum tax revenue bonds in compliance with the State Building Bonding Act not to exceed \$5,760,000 when the state cultural affairs officer certifies that the money is needed for renovation, maintenance and development of state museums and monuments after review by the CBPC. The commission reviewed the proposal after the Office of Cultural Affairs certified it and recommended the issuance of bonds.
2003	House Bill 259 (J.G. Taylor), Chapter 89.	Appropriated \$8 million from the State Building Bonding Fund to the Board of Regents of New Mexico State University for acquisition of a university sports facility after all other authorized projects have been funded.
2004		
2004	House Joint Resolution 12 (Varela) and House Bill 545 (B. Lujan), Chapter 63. Compiled under Section 15-3B-20 NMSA 1978.	Approved the sale of the Labor Department building in Santa Fe and authorized the proceeds of the sale to be used for the purchase of a new building.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2004	Senate Bill 332 (Fidel), Chapter 123. Compiled under Chapter 6, Article 21C NMSA 1978.	Grandfathered in cultural affairs projects that were authorized in 2003 using intercept funds for the State Building Bonding Fund, but returned the purpose of the law to its original language of 2001. The bill also included amendments to Laws 2001, Chapter 166. The amendments expanded the Jaguar Road definition from "for the purchase of land on Cerrillos Road in Santa Fe, located adjacent to the District 5 office of the Department of Transportation" to increase the available property that could be considered in the public safety campus area and required that infrastructure be in place. Also, the bill appropriated \$250,000 to the Legislative Council Service (LCS) for expenditure in FY04-FY07 to provide for master planning (an update to the original Santa Fe Master Plan) and annual updates.
2005		
2005	House Bill 1045 (B. Lujan), Chapter 147. Compiled under Section 10-11-130 NMSA 1978.	Authorized the PERA Board to acquire land and construct a new building to house the retirement association if the existing PERA building is sold. This measure also provided authority to use the proceeds of the sale of the existing PERA building to design and construct a new PERA building, which will be held as a trust asset in the PERA's name.
2005	HTRC/House Bill 885, Chapter 347.	<u>Not a CBPC bill</u> , but Section 64 authorized short-term severance tax bonds of \$17 million for a state laboratory facility for the Department of Health.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2005	Senate Bill 289 (Fidel), Chapter 320. Compiled under Section 6-21C-4 NMSA 1978.	Expanded the purposes of the State Building Bonding Act. Authorized the PCD to spend bond proceeds to plan, design, construct and equip a parking structure in the Central Capitol Campus in Santa Fe, contingent upon approval from the CBPC and in conformance with the CBPC-approved master plan and to be transferred to the New Mexico Legislative Council upon completion; expanded the use of the fund slightly to cover replacement of state facilities in danger of losing certification and, thus, authorized partial funding for a replacement facility for the state laboratory on the UNM campus in Albuquerque. The commission heard testimony during the interim that the tri-labs purchase agreement had been drafted and the site had been selected on the UNM campus near Carrie Tingley Hospital, which will provide the labs with access to I-25. It extended the expiration of the master planning expenditure authorization from FY07 to FY08. The original appropriation was made in 2004.
2005	House Joint Resolution 9 (B. Lujan).	Constitutional amendment proposing that the state and school districts enter into lease-purchase agreements for the acquisition of buildings and other real property.
2006		
2006	<i>Senate Bill 380 (Fidel), failed.</i>	Would have appropriated \$565,000 from the general fund to the PCD to establish a master planning and asset management function for the needs of state government facilities within the purview of the CBPC and to obtain the necessary hardware and software necessary to maintain an updated master plan.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2006	House Joint Resolution 9 (2005) adopted by the voters Nov. 7, 2006. Compiled under Article 9, Section 8 of the Constitution of New Mexico.	Allowed the state and school districts to enter into lease-purchase agreements for the acquisition of buildings and other real property.
2007		
2007	House Bill 1022 (B. Lujan), Chapter 184. Compiled under Section 15-3-35 NMSA 1978.	Established enabling provisions for the lease-purchase of state facilities. Purchases must be authorized by the legislature. <i>(Does not include public school facilities or state educational institutions — see SB 395 (Nava), Chapter 365 (partial veto) for public school facilities.)</i>

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2007	Senate Bill 1061 (Ingle), Chapter 64.	<p>Changed the CBPC membership to include the state treasurer and omit the staff architect; expanded the jurisdiction of the commission to Las Cruces; and clarified that the jurisdiction also applies to the metropolitan areas of Santa Fe, Albuquerque and Las Cruces. Required that a review of state properties be done throughout the state in order to develop an overall master plan, and it authorized \$350,000 for FY07 through FY09 to the LCS to undertake for the CBPC. Authorized various financing methods for the acquisition of needed state properties: an additional \$10 million in state office building tax revenue bonds and appropriated the proceeds of the bonds (\$18.8 million) for the state (tri) laboratory, the acquisition of the Coughlin Building (\$1.5 million), the Capitol parking structure (\$11.5 million) and the commission's master planning process (\$350,000); it increased the gross receipts tax distribution for debt service to \$530,000 from \$500,000; it authorized \$11 million in severance tax bonds for the state laboratory for FY07 through FY11; it appropriated \$5 million (\$1.5 million from the Property Control Reserve Fund and \$3.5 million from the Public Buildings Repair Fund) for FY07-FY09 to purchase federal property within the West Capitol complex (current citation in Laws 2010 (2nd S.S.), Chapter 4, Section 35); and it appropriated \$1 million from the general fund for the planning and design of a state police crime laboratory in Albuquerque in FY07-FY09. It provided that state office building tax revenue bonds outstanding at any one time shall not exceed \$100 million, an increase of \$10 million above the previous level.</p>
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**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2007	House Bill 1137 (B. Lujan), Chapter 192.	<u>Not a CBPC bill</u> , but included appropriations of \$4.5 million for the plan, design, construction and renovation of Capitol North and limited Capitol space needs. (Funded \$1 million FY07 distributions from the Capitol Buildings Repair Fund (CBRF), \$2.5 million FY08 distributions to CBRF and \$1 million legislative cash balances.) FY07-FY11 expenditure authority. See changes to appropriations in Laws 2008, Chapter 83 and Laws 2009, Chapter 114.
2007	House Bill 2 (Saavedra), Chapter 28.	Provided additional funds and two FTEs in the GSD/PCD.
2007	Senate Joint Resolution 13 (Papen).	<u>Not CBPC legislation</u> , but authorized the sale/trade of property in Las Cruces for the future co-location/construction of state facilities.
2007	Senate Joint Resolution 16 (Altamirano).	Authorized sale, trade or lease of old metro court in Albuquerque. See subsequent legislation (2010 HJR 9) transferring the property to Bernalillo County.
2007	House Joint Resolution 8 (B. Lujan).	Authorized sale or trade of Galisteo property in Santa Fe.
2007	House Joint Resolution 14 (Sandoval).	<u>Not CBPC legislation</u> , but authorized the lease of certain property adjacent to Edith Boulevard (YDDC) in Albuquerque.
2008		
2008	<i>Senate Bill 298 (Ingle), pocket vetoed.</i>	Would have increased the gross receipts tax (GRT) intercept into the State Building Bonding Fund to provide an additional \$9 million for additional parking capacity at the Main Capitol Campus parking structure.
2008	House Joint Resolution 9 (B. Lujan).	Approved the sale, trade or other transfer of the old state laboratory building and property to the Board of Regents of the University of New Mexico. Replaced authorization from SJR 12 in 2001 to sell the building to UNM.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2008	<i>House Bill 352 (B. Lujan), failed.</i>	Would have removed the requirement in Laws 2007, Chapter 64, Section 6 that the New Mexico State Police Crime Laboratory be located in Albuquerque.
2008	SF1/Senate Bill 352 (Cisneros), Chapter 83, Section 381.	Expanded expenditure period through 2012 for appropriations for Capitol area renovations and expanded the purpose to include renovations for larger legislative committee space and long-range facility space plans, including the initial planning and design of any additional executive agency space. Appropriations were originally authorized in Laws 2007, Chapter 192 and later amended in Laws 2009, Chapter 114.
2008	Senate Joint Resolution 12 (Cisneros).	<u>Not CBPC legislation</u> , but authorized the transfer of two acres of land and improvements from the GSD to the Town of Taos. CBPC to review the transfer prior to it being finalized.
2008	<i>Senate Bill 509 (Ingle), pocket vetoed.</i>	<u>Not CBPC legislation</u> , but would have provided the CBPC with additional duties to review proposed lease-purchase agreements; to develop a long-term statewide strategic facility management plan; to determine deferred maintenance for existing state facilities; to make recommendations regarding leasing, lease purchasing or purchasing additional state facilities; and to formulate disposal strategies for aging state facilities.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2009		
2009	SFC/Senate Bill 221 (Ingle), Chapter 114. Amended Sections 6-21C-4, 6-21C-5 and 7-1-6.42 NMSA 1978 (not all sections of bill were compiled).	Authorized an increase in the GRT intercept to finance the construction of a state-owned executive office building on the Main Capitol Campus. GRT intercept would not begin until July 1, 2011, or when debt service payments are to begin. No net impact on general fund because revenues currently paying for leased space will offset the diversion from the general fund. The bill also extended the expenditure period for certain master planning funds for the CBPC (originally authorized in Laws 2001, Chapter 166, Section 2; amended by Laws 2004, Chapter 123, Section 7; Laws 2005, Chapter 320, Section 4; and Laws 2007, Chapter 64, Section 4; current citation in Laws 2009, Chapter 114, Section 5); appropriated and reauthorized additional funds for CBPC master planning (originally authorized in Laws 2007, Chapter 192 and reauthorized by Laws 2008, Chapter 83; current citation in Laws 2009, Chapter 114, Section 7); and extended the expenditure period for purchasing land at the West Capitol complex (originally authorized in Laws 2007, Chapter 64, Section 6; 2009 changes made in Laws 2009, Chapter 114, Section 6; current citation in Laws 2010 (2nd S.S.), Chapter 4, Section 35).
2009	House Bill 728 (B. Lujan), Chapter 145. Enacted new Sections 6-21-6.14 and 15-3B-21 NMSA 1978.	Authorized the initial phase of construction for a facility to house the Human Services Department (HSD) and the Children, Youth and Families Department (CYFD) using a lease-purchase financing arrangement. The NMFA is authorized to issue revenue bonds to construct the building and enter into a lease-purchase agreement with the PCD, which will sublease the facility to the HSD and CYFD and use current private lease payments as the revenue source to pay the debt service.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2009	Senate Bill 220 (Ingle), Chapter 19. Amended Section 15-10-1 NMSA 1978 and enacted a new Section 15-10-2 NMSA 1978.	Allowed for the secretary of general services and the state treasurer to appoint designees to attend CBPC meetings on their behalf; provided for the CBPC to review proposed lease-purchase agreements for certain projects prior to submission to the legislature; and directed the commission to work with the GSD on addressing deferred maintenance on state facilities and using life-cycle costing in developing recommendations regarding the lease, lease purchase or purchase of additional facilities.
2009	HTRC/House Bill 360 (B. Lujan), Chapter 23. Enacted a new Section 3-22-6 NMSA 1978.	Established a collaborative process for a state agency to carry out a capital outlay project in a historic district in a manner that is generally compatible with local ordinances.
2009	<i>House Bill 194 (Taylor), failed.</i>	Would have allocated 2% of appropriations exceeding \$100,000 for new construction or major renovation of buildings under the jurisdiction of the PCD to be directed into the Public Buildings Repair Fund for addressing maintenance and repairs of state buildings, particularly those outside of Santa Fe.
2009	<i>Senate Joint Resolution 7 (M. Sanchez) and Senate Bill 546 (M. Sanchez), failed.</i>	Senate Joint Resolution 7 would have approved the lease-purchase agreement for a substance abuse treatment and training facility on the Los Lunas correctional campus and would have approved the lease of state land on which the facility was to have been constructed. Senate Bill 546 would additionally have allowed the NMFA to sell revenue bonds to finance the construction of the facility and would have established a statutory lease-purchase financing mechanism for the NMFA for this and future projects.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2009	HTRC/House Bill 154, Chapter 125.	Not CBPC legislation, but authorized severance tax bonds for <u>CBPC-endorsed projects</u> , including \$2.7 million for demolition, decommissioning and asbestos abatement of state buildings at the Los Lunas campus and statewide (Section 7, Subsection 22); \$2 million for statewide repairs, renovations, deferred maintenance and infrastructure improvements (Section 7, Subsection 23); \$4 million to acquire land for and to plan and design a health and human services complex in Santa Fe in Santa Fe County (Section 7, Subsection 15) with an appropriation expiring June 30, 2013; \$500,000 for a south capitol complex development plan, renovations and improvements for infill and redevelopment (Section 7, Subsection 16); \$1 million for statewide repairs and maintenance of cultural assets (Section 9, Subsection 6); and \$3.7 million for completion of statewide cultural facilities projects (Section 9, Subsections 1 through 5). Other funded projects that are within the Albuquerque metropolitan master planning area include \$330,000 for improvements to the therapeutic pool in the natatorium at the Los Lunas campus (Section 7, Subsection 26); \$5 million for the State Fair Commission to develop a master plan and for improvements to state fair facilities (Section 21); and \$50,000 for the DOT to replace the roof of the hilltop building in Albuquerque (Section 45, Subsection 1).
2009	House Joint Resolution 19 (Park).	<u>Not CBPC legislation</u> , but authorized extension of the lease to the Downs of Albuquerque of facilities at the state fairgrounds until January 2012.
2010		
2010	Senate Joint Resolution 9 (regular session) (Papen).	Authorized the trade of state land for 3.8 acres of private land to be used for Santa Teresa port of entry drainage purposes

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2010	SFC/Senate Bill 200 (regular session), Chapter 73. Enacted a new Section 15-3-36 NMSA 1978.	<u>Not CBPC legislation</u> , but established energy-efficiency standards for new state government buildings.
2010	House Joint Resolution 9 (regular session) (Miera).	<u>Not CBPC legislation</u> , but authorized the transfer of the old Metropolitan Court building in Albuquerque to Bernalillo County.
2010	SFI/Senate Joint Resolution 16 (regular session).	<u>Not CBPC legislation</u> , but authorized the trade or sale to the Town of Taos of state-owned land within the Taos Mini Industrial Park, subject to land grant right of first refusal provisions of Section 13-6-5 NMSA 1978 and review by the CBPC.
2010	House Bill 112 (regular session) (A. Lujan), Chapter 11, and Senate Bill 95 (regular session) (Papen), Chapter 9.	<u>Not CBPC legislation</u> , but authorized the Las Cruces downtown tax increment development district, encompassing possible state-office development, to issue \$8 million in bonds to finance the district.
2010	House Bill 5 (2nd Special Session) (Trujillo), Chapter 4.	<u>Not CBPC legislation</u> , but authorized severance tax bonds for several projects within master planning areas, including \$1.4 million for projects at the YDDC in Albuquerque (Section 4, Subsections 1 through 3); \$500,000 for completion of the tri-services lab facility in Albuquerque (Section 4, Subsection 4); \$3.48 million for renovation and deferred maintenance projects in state building statewide (Section 4, Subsection 12); and \$1.1 million for infrastructure improvements to cultural facilities statewide (Section 5). The bill also mandated that money previously appropriated (Laws 2007, Chapter 64, Section 6, as amended by Laws 2009, Chapter 114, Section 6) for purchase of property on the West Capitol Campus also be expended for the acquisition of certain parcels on the College of Santa Fe campus (Section 35).

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2011		
2011	House Joint Resolution 9 (Varela)	<u>Not CBPC legislation</u> , but authorized the donation or sale of property on the former College of Santa Fe campus to Santa Fe Community College.
2011	Senate Joint Resolution 1 (Papen)	<u>Not CBPC legislation</u> , but authorized the donation of the Camunez Building to the City of Las Cruces.
2011	Senate Joint Resolution 11 (Sanchez)	<u>Not CBPC legislation</u> , but authorized the transfer of land upon which is located Katherine Gallegos Elementary School to the Los Lunas Public School District.
2011	<i>Senate Bill 193 (Ingle), pocket vetoed.</i>	Would have required state agencies to develop five-year facilities master plans, based on guidelines developed by the PCD and consistent with CBPC master plans and planning principles.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2011	<i>SFC/Senate Bill 218 (Cisneros), failed.</i>	Not CBPC legislation, but would have authorized severance tax bonds for many state projects within master-planned areas, including \$300,000 for Workforce Solutions Department projects in Albuquerque, Deming and Las Vegas (Section 5, Subsections 3, 6 and 19); \$18.6 million for Corrections Department projects statewide (Section 5, Subsections 4, 5, 7, 8 and 28); \$3.9 million for CYFD projects in Albuquerque and southeastern New Mexico (Section 5, Subsections 9 and 10); \$12.8 million for projects at the New Mexico Behavioral Health Institute in Las Vegas (Section 5, Subsections 12-18); \$12 million for renovations to buildings at the South Capitol Campus in Santa Fe (Section 5, Subsections 21 and 22); \$10.8 million for Department of Health projects in Truth or Consequences and Los Lunas (Section 5, Subsections 23-26); \$5 million for the drug and substance abuse treatment facility in Los Lunas (Section 5, Subsection 27); \$2 million for demolition and decommissioning of state buildings statewide (Section 5, Subsection 29); and \$5 million for repairs, renovations and deferred maintenance abatement at state buildings statewide (Section 5, Subsection 30).
2011	House Memorial 52 (Maestas).	Not CBPC legislation, but calls for collaboration among certain agencies to achieve cost-effective consolidation of agency offices into state-owned facilities in Albuquerque.

**HISTORY OF LEGISLATION RELATING TO THE
CAPITOL BUILDINGS PLANNING COMMISSION (CBPC)
1997-2013**

2012		
2012	<i>Senate Bill 83 (Ingle), pocket vetoed.</i>	Would have required state agencies to develop five-year facilities master plans, based on guidelines developed by the PCD and consistent with CBPC master plans and planning principles. It would have appropriated \$2.3 million for a facilities condition assessment and \$1 million to provide facilities master planning assistance to state agencies.
2013		
2013	Senate Bill 339 (Ingle), Chapter 115.	<u>Not CBPC legislation</u> ; combines the former Property Control Division and Building Services Division of the General Services Department into the Facilities Management Division (FMD).
2013	Senate Bill 572 (Ingle), Chapter 174.	<u>Not CBPC legislation</u> ; allows the Property Control Reserve Fund to be used statewide for the purchase or construction of state buildings.
2013	Senate Bill 341 (Ingle), Chapter 215.	<u>Not CBPC legislation</u> ; increases the cap on building and remodeling contracts from \$500,000 to \$5 million and eliminates the requirement that the FMD report contracts at State Board of Finance meetings.
2013	Senate Bill 340 (Ingle), Chapter 146.	<u>Not CBPC legislation</u> ; allows the FMD to contract for design and build projects that are in the best interests of the state or a local public body without a \$10 million contract limit.
2013	Senate Bill 266 (Griego), Chapter 99.	<u>Not CBPC legislation</u> ; amends the Procurement Code procedures for contracting for architectural and engineering services such that a single contract is capped at \$500,000 and multiple projects with a single contractor may not exceed \$2 million over a four-year period.

F. AGENDAS

**TENTATIVE AGENDA
for the
FIRST MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**August 5, 2013
Room 311, State Capitol
Santa Fe**

Monday, August 5

- 1:00 p.m. (1) [**Call to Order; Approval of Agenda**](#)
 —Representative W. Ken Martinez, Speaker of the House
 —Secretary Edwynn L. Burckle, General Services Department (GSD)
- Action Items:*
 Adoption of 2013 Open Meetings Resolution
 Adoption of December 11, 2012 Minutes
 Adoption of 2012 Interim Report
- 1:20 p.m. (2) [**Capitol Buildings Planning Commission Primer**](#)
 —Raúl E. Burciaga, Director, Legislative Council Service (LCS)
 —Lisa Sullivan, Staff Attorney, LCS
 —John Petronis, Commission Facilities Planner, Architectural Research
 Consultants (ARC)
 —Andy Aguilar, Commission Facilities Planner, ARC
- 2:00 p.m. (3) [**GSD Update**](#)
 —George D. Morgan, Director, Facilities Management Division, GSD
 —Pamela Nicosin, Deputy Director, Facilities Management Division, GSD
- 2:40 p.m. (4) [**State-Owned Buildings and State-Leased Buildings — Space Use Issues**](#)
 —George D. Morgan, Director, Facilities Management Division, GSD
 —Pamela Nicosin, Deputy Director, Facilities Management Division, GSD
- 3:20 p.m. (5) [**Executive Order 2012-023 Implementation**](#)
 —George D. Morgan, Director, Facilities Management Division, GSD
 —Pamela Nicosin, Deputy Director, Facilities Management Division, GSD
 —Andy Aguilar, Commission Facilities Planner, ARC
- 4:00 p.m. (6) [**ARC Update**](#)
 —John Petronis, Commission Facilities Planner, ARC
 —Andy Aguilar, Commission Facilities Planner, ARC

4:40 p.m. (7) [Future Meeting Dates](#)
—August 5; September 3; October 4; and November 12

Public Comment

Adjourn

If you require special accommodations, such as a hearing interpreter, to participate in a meeting, please contact the Legislative Council Service at least five working days prior to the scheduled meeting day at (505) 986-4600 or by TDD phone at (505) 986-4653. Public documents from these meetings are available in alternative formats upon request.

Revised: August 29, 2013

**TENTATIVE AGENDA
for the
SECOND MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**September 3, 2013
Room 311, State Capitol
Santa Fe**

Tuesday, September 3

1:00 p.m.

Call to Order

- Representative W. Ken Martinez, Speaker of the House, Co-Chair
- Secretary Edwynn L. Burckle, General Services Department (GSD), Co-Chair

Approval of Agenda

(1) **[Adoption of Minutes](#)**

(2) **[Life Cycle Cost Management Issues](#)**

- Andy L. Aguilar, Architectural Research Consultants, Inc. (ARC)
- John Petronis, ARC

Overview of Completed Master Plans; Ongoing Master Plan Work

- Andy L. Aguilar, ARC
- John Petronis, ARC

Request for Master Plan Work for Substance Abuse Facilities

- George Morgan, Division Director, Facilities Management Division (FMD), GSD
- Pamela Nicosin, Acting Deputy Director, FMD, GSD

(3) **[Cultural Affairs Department \(CAD\) Capital Improvement Needs](#)**

- Veronica Gonzales, Secretary, CAD

(4) **[Judiciary Capital Improvement Needs](#)**

- Patrick Simpson, Deputy Director, Administrative Office of the Courts

(5) **[GSD and FMD Update](#)**

- George Morgan, Division Director, FMD, GSD
- Pamela Nicosin, Acting Deputy Director, FMD, GSD

Public Comment

Adjourn

If you require special accommodations, such as a hearing interpreter, to participate in a meeting, please contact the Legislative Council Service at least five working days prior to the scheduled meeting day at (505) 986-4600 or by TDD phone at (505) 986-4653.

Revised: October 2, 2013

**TENTATIVE AGENDA
for the
THIRD MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**October 4, 2013
Room 311, State Capitol
Santa Fe**

Friday, October 4

1:00 p.m.

Call to Order; Approval of Agenda

- Representative W. Ken Martinez, Speaker of the House
- Secretary Edwynn L. Burckle, General Services Department (GSD)

Commission Business

Adoption of September 3, 2013 Minutes

- (1) **[New Mexico Space Standards](#)**
 - John Petronis, Commission Facilities Planner, Architectural Research Consultants, Inc. (ARC)
 - Andy L. Aguilar, Commission Facilities Planner, ARC
- (2) **[GSD and Facilities Management Division \(FMD\) Update](#)**
 - George D. Morgan, Director, FMD, GSD
 - Pamela Nicosin, Acting Deputy Director, FMD, GSD
- (3) **[Staff Reports](#)**

Public Comment

Adjourn

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Revised: November 8, 2013

**TENTATIVE AGENDA
for the
FOURTH MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**November 12, 2013
Room 309, State Capitol
Santa Fe**

Tuesday, November 12

- 10:00 a.m. **Call to Order; Approval of Agenda
Commission Business
Adoption of October 4, 2013 Minutes**
- (1) [Corrections Department Security Upgrades](#)
 —Aurora Sanchez, Deputy Secretary, Corrections Department (CD)
- (2) [Corrections Department — Los Lunas Campus](#)
 —Aurora Sanchez, Deputy Secretary, CD
- (3) [General Services Department Update](#)
 —George D. Morgan, Director, Facilities Management Division (FMD),
 General Services Department (GSD)
 —Pam Nicosin, Deputy Director, FMD, GSD
- (4) [Infrastructure Capital Improvement Plan Matrix and Decision Process](#)
 —Debbie Romero, Bureau Chief, Capital Outlay Bureau, Department of
 Finance and Administration (DFA)
 —Linda Kehoe, Analyst, Legislative Finance Committee
- 12:15 p.m. **Lunch**
- 1:30 p.m. (5) [Master Plan for Human Services Department Substance Abuse Centers](#)
 —Brent Earnest, Deputy Secretary, Human Services Department (Invited)
- (6) [Department of Health \(DOH\) — New Mexico Behavioral Health
Institute's Meadows Project](#)
 —Michael Browne, Infrastructure Manager, DOH

- (7) [State Records Center and Archives Expansion and Renovations](#)
—Linda Trujillo, Deputy State Records Administrator, State Records Center
and Archives
- (8) [Tiwa Building Renovations](#)
—Jacqueline Miller, Deputy Secretary, Department of Information
Technology (Invited)
- (9) [Architectural Research Consultants, Inc., Update](#)

Adjourn

G. MINUTES

**MINUTES
of the
FIRST MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**August 5, 2013
Room 311, State Capitol
Santa Fe**

The first meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Secretary Edwynn L. Burckle, co-chair, on August 5, 2013 at 1:10 p.m. in Room 311 of the State Capitol.

Present

Edwynn L. Burckle, Secretary of General
Services, Co-Chair
Tom Clifford, Secretary of Finance and
Administration
Anne Green-Romig, Designee for Veronica
N. Gonzales, Secretary of Cultural
Affairs
Loren Hatch, Designee for Tom Church,
Secretary-Designate of Transportation
Marilyn Hill, Designee for James B. Lewis,
State Treasurer
Sen. Stuart Ingle
Elaine Olah, Designee for Ray Powell,
Commissioner of Public Lands
Sen. Mary Kay Papen, Senate President Pro
Tempore
Patrick Simpson, Designee for Petra
Jimenez Maes, Chief Justice, New
Mexico Supreme Court
Rep. Thomas C. Taylor

Absent

Rep. W. Ken Martinez, Speaker of the
House

Staff

Raúl E. Burciaga, Legislative Council Service (LCS)
Lisa Sullivan, LCS
Cassandra Jones, LCS
George D. Morgan, Director, Facilities Management Division (FMD), General Services
Department (GSD)
Pam Nicosin, Acting Deputy Director, FMD, GSD
Andy Aguilar, Facility Planner, Architectural Research Consultants, Inc. (ARC)
John Petronis, President, ARC

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file.

Monday, August 5

Secretary Burckle welcomed the members of the CBPC, the staff and the public.

Action Item: Approval of the Agenda

Secretary Burckle told the commission that the agenda would be amended to include a legislation update from Ms. Sullivan after the ARC update. Senator Papen moved to approve the agenda with the amendment. The motion was seconded by Ms. Olah. Members of the commission voted unanimously in favor of the motion.

Action Item: Adoption of the 2013 Open Meetings Resolution

Ms. Sullivan noted that the Open Meetings Resolution needed to be amended to reflect a change in statute that requires that agendas be posted online 72 hours in advance of a meeting. The amendment is required to meet standards set by the Open Meetings Act. Mr. Simpson moved to adopt the 2013 Open Meetings Resolution with the amendments. Senator Ingle seconded the motion. Members of the commission voted unanimously in favor of the motion.

Action Item: Adoption of December 11, 2012 Minutes

Senator Ingle moved to approve the December 11, 2012 minutes. The motion was seconded by Ms. Olah. Members of the commission voted unanimously in favor of the motion.

Action Item: Adoption of the 2012 Interim Report

Mr. Hatch moved to approve the 2012 Interim Report. The motion was seconded by Ms. Green-Romig. Members of the commission voted unanimously in favor of the motion.

Secretary Burckle asked the commission to take a moment to reflect on the passing of Representative Ben Lujan, who co-chaired the commission for many years, and Chuck Gara, former director of the Property Control Division of the GSD. The secretary noted that both individuals greatly affected the work of the commission.

CBPC Primer

Mr. Burciaga told commission members that the CBPC was created in 1997 to evaluate facilities needs for state government. The commission includes members of the executive, judicial and legislative branches. Statute requires that the commission study and plan for long-range facilities needs of state government; review lease-purchase agreements; address deferred maintenance and disposal strategies for aging or obsolete facilities; utilize life-cycle costing for cost-benefit analysis of leases, lease-purchases or purchases; meet regularly; and provide

recommendations to the legislature. The LCS provides staff for the commission in coordination with the staff architect, staff from the FMD of the GSD and the master planning consultant. Staff meets periodically for working group meetings in preparation for presentations before the commission.

Mr. Burciaga noted recent commission activity, including:

- 2009 legislation authorizing and financing the executive office building (EOB) and phase I of the health and human services (HHS) plans;
- the development of a life-cycle cost-analysis tool;
- legislation to mandate five-year master plans and facility maintenance plans by state agencies, which was vetoed in 2011 and 2012;
- providing additional funding for continued master-planning activities as directed by the commission during the 2013 session; and
- creating an inventory of state-owned, -leased and -provided facilities, which continues to be refined.

Mr. Burciaga concluded that the CBPC has been instrumental in coordinating efforts to assess the facilities needs of state government and in developing an inventory of all facilities.

Mr. Aguilar referred the commission to an updated version of the CBPC primer. He told the commission that the primer was created in 2011 and updated in preparation for this meeting. He told the commission that the overview of state space has been entirely replaced with information from the online inventory. He also told the commission that additional revisions to the primer will be made when the inventory is updated.

Members of the commission asked questions about a master plan for statewide substance abuse treatment facilities, an item mentioned in the CBPC primer. Secretary Burckle told the commission that the legislature has appropriated \$6 million for a substance abuse treatment facility in Los Lunas, an amount that is at least \$2 million less than will be necessary to build the facility. The GSD has decided to bring together staff from the Human Services Department (HSD), the Children, Youth and Families Department (CYFD), the Department of Health (DOH) and the GSD, together with ARC, in order to develop a master plan to understand the substance abuse treatment facility needs throughout the state before constructing the Los Lunas facility. A group of representatives from each agency have begun meeting to accomplish this task.

GSD Update

Ms. Nicosin gave the commission an update on a selection of GSD properties.

- The Manuel Lujan building in Santa Fe, used mostly by the Taxation and Revenue Department, is undergoing major renovations, which are 60% complete with a scheduled completion date in February 2014. The project's budget is \$19,213,719. Forty-five percent of the project's budget has been expended.

- The Tiwa building in Albuquerque, used by the Workforce Solutions Department and the Department of Information Technology, is undergoing major renovations. The project is beginning its design phase. The budget for phase 1 is \$200,000. One percent of that budget has been expended.
- The construction of a new Las Cruces District 4 office, to be used by the Department of Public Safety (DPS), has been completed with a budget of \$6,500,000, 95% of which has been expended.
- A new building at the New Mexico Behavioral Health Institute in Las Vegas is 55% complete with a scheduled completion date in July 2014. The project's budget is \$20,867,213 and is 53% expended.
- The construction of a new Las Vegas District 2 office to be used by the DPS has been completed with a budget of \$6,876,696, 98% of which has been expended.
- The Epi Duran building, used by several state agencies, is undergoing major renovations to accommodate state agencies that currently reside in leased space. The project is 3% complete and has a budget of \$850,000.
- The Motor Vehicle Division office in Clovis is undergoing major renovations, which is 25% complete, with a scheduled completion date in October 2013. The project's budget is \$857,977, 13% of which has been expended.
- An assessment of security systems for all state-owned Corrections Department facilities is 90% complete, with a scheduled completion date in October 2013. The budget for the project is \$985,000, 85% of which has been expended.
- Housing Units 4 and 5 in the Southern New Mexico Correctional Facility (SNMCF) are undergoing heating, ventilation and air conditioning (HVAC) improvements, as well as infrastructure upgrades. The project is 90% complete, with a scheduled completion date in September 2013. The project's budget is \$5,274,262 and is 85% expended.
- The SNMCF is also undergoing major upgrades to its kitchen. These upgrades are 45% complete, with a scheduled completion date in November 2013. The budget for the project is \$1,383,833 and is 26% expended.
- The Central New Mexico Correctional Facility (CNMCF) Housing Unit 2 is undergoing HVAC and infrastructure upgrades, which are 100% complete, with a budget of \$2.5 million that is 99% expended.
- The CNMCF Housing Units 3, 4 and 5 are also undergoing HVAC and infrastructure upgrades, which are 1% complete. The budget is \$6,859,020, of which 1% has been expended.
- The CNMCF kitchen is being renovated and is 1% complete. The budget is \$3 million, which is 1% expended.
- The Roswell Correctional Facility is having a new wastewater treatment system installed. The project is 30% complete, with a scheduled completion in November 2013. The budget for the project is \$1.3 million, 28% of which has been expended.
- The Roswell Correctional Facility is also drilling a new artesian well. The project is 5% complete, with a scheduled completion date in September 2013. The budget for the project is approximately \$163,000 and no funds have been expended yet.

- The Western New Mexico Correctional Facility is undergoing major HVAC upgrades to the entire facility. The project is 0% complete, has a budget of \$113,928 and no funds have been expended yet.

Ms. Nicosin reviewed the 2013 legislative appropriations for the FMD and various projects, including \$1 million for a substance abuse treatment center in Los Lunas, \$1.4 million from the Public Buildings Repair Fund for a facility condition assessment of state facilities under FMD jurisdiction and \$3.5 million for correctional facilities statewide. Ms. Nicosin expressed some concerns about buildings throughout the state. An old rehabilitation center in Roswell needs to be demolished. It is a large liability to the state and is vandalized on a regular basis. It has been condemned by the City of Roswell.

Ms. Nicosin discussed the EOB. It would allow for the relocation of agencies from privately leased facilities and would also allow constitutional officers and the Department of Finance and Administration (DFA) to be relocated within the main capitol campus. The planning team for the project includes the FMD, the DFA and Wilson & Company, Inc., architects and engineers. Plans for the building indicate that the building should be 56,000 gross square feet and located at a site adjacent to the capitol parking structure. Construction of the project requires the removal of casitas currently located at the site. The city has approved building height study permits up to 57 feet and four to five stories high. Ms. Nicosin indicated that she believes the project must comply with the City of Santa Fe's Historic District Ordinance. Since the City of Santa Fe has upgraded the casitas to a "significant" historical designation, the next steps are under review.

Ms. Nicosin discussed the HHS complex, which is intended to achieve operational, functional and logistical efficiencies among HHS agencies that are currently scattered in leased and state-owned office buildings throughout Santa Fe, as well as to realize economic efficiencies through economies of scale and asset and infrastructure sharing. The project would allow some state agencies to vacate privately leased space and would achieve substantial long-term general fund savings. The HHS project is meant to support the co-location of administrative functions of the HSD, the CYFD, the DOH and the Aging and Long-Term Services Department. The GSD reviewed 16 potential sites. Ms. Nicosin indicated that all studies have concluded that Las Soleras is the best location for the HHS complex. Although the south capitol complex was considered for the HHS complex, it would require several stories of structured parking, which would greatly increase the cost of the project. There is no longer a requirement for a New Mexico Rail Runner station to be built at the Las Soleras site before proceeding, and funding has been established. The legislature authorized the New Mexico Finance Authority to issue lease-purchase revenue bonds not to exceed \$80 million for the HHS complex. The legislature also authorized the GSD to trade the Galisteo property to the seller of Las Soleras as part of the payment. In November 2011, the decision to acquire land was postponed. The purchase agreement dated December 2, 2010 was allowed to lapse, but a new agreement is currently being generated.

Members of the commission asked questions about several GSD projects. In particular, commission members requested information about funding sources for each of the projects, time limits for spending certain funds, leased and owned space, maintenance processes for state buildings, the site selection for the HHS complex and parking at the main capitol campus.

State-Owned Buildings and State-Leased Buildings — Space-Use Issues

Ms. Nicosin told the commission that the GSD is studying space-use issues in order to assist the FMD in determining the best use of facilities while meeting mission requirements and managing footprint, energy and water-use reductions. The study is attempting to identify space in state-owned buildings that could be occupied by agencies currently in leased space, a strategy that would achieve substantial long-term general fund savings. Three architectural firms have been selected to perform the space assessment on seven buildings located in Santa Fe, including: the Toney Anaya building, the Joseph L. Montoya building, the Harold L. Runnels building, the Wendell Chino building, the Jerry Apodaca building, the Public Employees Retirement Association building and the Bataan Memorial building. Space assessments began in July 2013. It is anticipated that pre-design and concept plans will begin in November 2013. A final report is expected in February 2014. Ms. Nicosin told the commission that the state leases 28% of its space and owns 72% of its space. Of the leased space, 33% is located in Albuquerque and 20% is located in Santa Fe. Leased space in Albuquerque costs, on average, \$18.80 per square foot. The average cost of leased space in Santa Fe is \$22.23 per square foot. The average cost of leased space in the rest of the state is \$18.81 per square foot. Ms. Nicosin told the commission that Governor Susana Martinez has requested an across-the-board reduction in the state lease costs of 10%. The DFA, the Legislative Finance Committee and legislators have all started questioning departments about money spent on leased space. The FMD is reviewing all leases that are expiring between now and December 2015 and is determining whether the spaces in question meet the agency's requirements and mission for the next three to eight years. The FMD will prioritize findings and meet with property owners to renegotiate existing leases.

Executive Order 2012-023 Implementation

Ms. Nicosin told the commission that the DFA and FMD have led an implementation planning group and an interagency facilities task force charged with developing a good practices model for prioritizing state projects. Each agency's master plan should include: preventive and deferred maintenance plans; space and energy efficiency standards; program justification for new construction; and criteria-based weighted ranking systems to determine priorities. The FMD will provide technical assistance to state agencies in the development of their facilities master plans.

Ms. Nicosin told the commission that Executive Order 2012-023 requires a prioritized five-year program for all state capital improvement projects jointly created by the FMD and DFA be submitted to the governor and the legislature by November 1 of each year. Projects will be classified as design-phase or ready for construction. The executive order requires that most state agencies prepare and update a five-year facilities master plan in compliance with guidelines developed by the FMD and submit it to the DFA by July 1 of each year. Plans must be consistent with CBPC master plans and comprehensive planning principles.

ARC Update

Mr. Petronis, commission facilities planner for ARC, told the commission that ARC has been hired by the commission on a competitive bid several times. Mr. Aguilar told the commission that the statewide inventory validation process is ongoing. The web application represents data as of July 2012 and will be updated once the validation process is completed. He told the commission that many agencies have responded with data and that ARC now has a good benchmark for the number of full-time-equivalents by location for entire agencies. A few agencies have not responded. ARC is taking steps to get in contact with them. On a square-foot basis, the inventory is approximately 70% complete, with facilities owned by the GSD about 83% complete. Mr. Aguilar noted that ARC's information includes land and buildings that are not under GSD purview, which accounts for the difference between ARC and GSD figures regarding leased versus owned space. Mr. Aguilar noted several updates to the 2011 CBPC primer, including the expanded inventory and new information for district courts.

Legislative Update

Ms. Sullivan reviewed enacted 2013 legislation with the commission.

- SB 339 combines the former Property Control Division and the Building Services Division of the GSD into the FMD.
- SB 572 allows the Property Control Reserve Fund to be used statewide for the purchase or construction of state buildings. Formerly, the fund could be used only in Santa Fe.
- SB 341 increases the cap on building and remodel contracts from \$500,000 to \$5 million and eliminates the requirement that the FMD report contracts at State Board of Finance meetings.
- SB 340 amends a law to allow the FMD to contract for design and build projects: (1) in the event that the project is in the best interest of a state or local public body; and (2) without a \$10 million contract cap.
- SB 266 amends Procurement Code procedures for solicitation of architectural and engineering services. It provides that multiple contracts for multiple projects made with a single contractor cannot exceed \$2 million over a four-year period and places a cap of \$500,000 on a single contract.

Future Meeting Dates

Secretary Burckle stated that future meeting dates for the CBPC are scheduled for September 3, October 4 and November 12.

Public Comment

Donald Alire, president, Communications Workers of America Local 7076, told the commission that he is concerned about conditions in the Public Education Department building. He said that issues have been raised for almost 25 years concerning the existence of substances, such as asbestos, in the building that endanger the health of those that work in and visit the building. He told the commission that he would provide documents supporting these claims to

LCS staff. Mr. Alire told the commission that these problems have been unaddressed due to changing administrations, lack of follow-through and simple forgetfulness. Mr. Alire requested that he be allowed to make a formal presentation at the next meeting of the CBPC about his concerns.

Secretary Burckle asked Mr. Morgan to respond. Mr. Morgan told the commission that the FMD has identified several indoor air quality issues in various state buildings and is working to resolve them. The FMD understands the severity of these issues and is creating a process to deal with them.

Bruce Wetherbee then told the commission that documents supporting Mr. Alire's concerns have been given to several administrations with no result. Mr. Wetherbee again requested that he and Mr. Alire be allowed to present at the next meeting of the CBPC.

Adjournment

There being no further business before the commission, the first meeting of the CBPC for the 2013 interim adjourned at 3:17 p.m.

**MINUTES
of the
SECOND MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**September 3, 2013
Room 311, State Capitol
Santa Fe**

The second meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Secretary of General Services Edwynn L. Burckle on September 3, 2013 at 1:10 p.m. in Room 311 of the State Capitol.

Present

Edwynn L. Burckle, Secretary of General Services, Co-Chair
Rep. W. Ken Martinez, Speaker of the House of Representatives, Co-Chair
Tom Church, Secretary-Designate of Transportation
Tom Clifford, Secretary of Finance and Administration
Veronica N. Gonzales, Secretary of Cultural Affairs
Elaine Olah, Designee for Ray Powell, Commissioner of Public Lands
Patrick Simpson, Designee for Petra Jimenez Maes, Chief Justice of the New Mexico Supreme Court
Clarence Smith, Designee for James B. Lewis, State Treasurer
Rep. Thomas C. Taylor, House Minority Floor Leader

Absent

Sen. Stuart Ingle, Senate Minority Floor Leader
Sen. Mary Kay Papen, Senate President Pro Tempore

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
Lisa Sullivan, Staff Attorney, LCS
Cassandra Jones, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file.

Tuesday, September 3

Members of the commission introduced themselves.

Approval of Agenda

Members of the commission voted unanimously in favor of approving the agenda for the second meeting of the CBPC for the 2013 interim.

Adoption of Minutes

Members of the commission voted unanimously in favor of adopting the minutes from the first meeting of the CBPC for the 2013 interim.

Life Cycle Cost Management Issues

John Petronis, Architectural Research Consultants, Inc., (ARC), referred the commission to a handout regarding leased and owned properties. Mr. Petronis told the commission that the state owns approximately 16.4 million square feet of space and leases approximately 3.1 million square feet of space. About 90% of leased space is for general office use. The state pays about \$48 million for leases, excluding judicial leases. Mr. Petronis told the commission that because the cost of capital to the public sector is less than that available to the private sector, the public sector should be able to own assets at a lower total cost than leasing them. Mr. Petronis told the commission that the Life Cycle Cost Analysis (LCCA) Application developed by the CBPC for analyzing lease-purchase submittals demonstrates the cost difference between different acquisition methods.

Mr. Petronis presented the commission with a sample summary table of discounted cash flow life cycle costs of several project alternatives. Mr. Petronis also discussed the 40-year cost of a building in terms of owning or leasing, as well as the first-year costs and any residual value. Mr. Petronis told the commission that in certain cases, leasing might be a better choice. Leases provide more flexibility when needs are short term or uncertain. Leasing can also be effective when the state does not own appropriate space, when the lease rate is below a certain level, when the state does not want to invest in capital costs or when federal leases are reimbursed to the state.

Members of the commission discussed and asked questions about maintenance of leased buildings; how state-owned buildings are maintained; issues regarding deferred maintenance; budgets for maintenance; current market rates; and best practices for leases. Mr. Petronis told the commission that the LCCA Application was created to allow people to compare the cost of leasing against the cost of owning and lease-purchasing. Members of the commission directed staff to look at the costs of leasing and owning buildings in real scenarios.

Overview of Completed Master Plans; Ongoing Master Plan Work

Andy Aguilar, ARC, referred commission members to their CBPC resource binders. He told the commission that the master planning principles section of the binder provides a concise overview of master planning intent developed for each plan. The Capitol Buildings Master Plan identifies principles applicable to general development and campus-specific planning for all state-owned campuses and facilities. The intent is to provide clear guidance for sound long-range planning and decision-making. Mr. Aguilar told the commission that the principles are presented in as follows: general development principles, including plans for future growth and change; protecting long-term asset value; and establishing a framework for campus development and redevelopment and campus-specific goals and implementation strategies.

Mr. Aguilar referred the commission to the Santa Fe Metro Area Plan. He told the commission that the plan was first adopted in 2000 and includes five campuses: the Main Capitol, South Capitol, West Capitol, Public Safety and New Mexico Department of Transportation (NMDOT) and the Correctional/Oñate campuses. Mr. Aguilar told the commission that additional components of the 2000 adopted plan are: space use standards; the first compilation of owned and leased data; and initial condition assessments of Santa Fe-area state-owned buildings. Since its adoption, the Santa Fe Area Master Plan has resulted in: the construction of the State Capitol Parking Facility; funding for the executive office building and the Health and Human Services (HHS) Complex; the adoption of a five-year plan for the Main Capitol Campus; a long-range development plan for the South Capitol Campus; and additional land acquisitions at the West Capitol Campus. Mr. Aguilar referred the commission to several exhibits in the resource binder:

- Exhibit 8, which describes the adopted five-year plan;
- Exhibit 9, which illustrates development on the South Capitol Campus;
- Exhibit 10, which illustrates the long-range development potential for the South Capitol Campus as identified in the South Capitol Campus Conceptual Master Plan 2040, which the General Services Department (GSD) has begun to implement with the renovation of the Lujan building;
- Exhibits 11 and 12, which illustrate the existing development and conceptual planning guidance for the West Capitol Campus. Mr. Aguilar noted that substantial future development at the campus requires additional land acquisition to achieve a contiguous campus with access between Siringo Road and Cerrillos Road and Camino Carlos Rey;
- Exhibits 13 and 14, which provide an overview of the Public Safety/NMDOT Campus. Mr. Aguilar noted that the NMDOT has expressed concern about encroachment of development for its D5 site, and the Department of Public Safety (DPS) racetrack is a safety concern; and
- Exhibits 15 and 16, which show existing development and conceptual planning for the Correctional/Oñate Campus. Mr. Aguilar noted that the conceptual guidance identifies several issues that have recently come to the attention of the GSD as critical issues for the Department of Military Affairs (DMA). The DMA desires to acquire land south of its headquarters facility for training purposes.

Mr. Aguilar referred the commission to the Albuquerque Metro Area Plan. He told the commission that the authority of the commission was expanded to include Albuquerque and Los Lunas in 2002. A key concept of the Albuquerque Metro Area Plan is the conceptual land use and implementation strategies for the New Mexico Youth Diagnostic and Development Center (YDDC)/Superblock site in Albuquerque and three sites in Los Lunas — the old hospital, the corrections site and the grasslands site. Mr. Aguilar told the commission that the University of New Mexico's and Expo New Mexico's needs are not addressed in this plan because they have their own master plans. Mr. Aguilar referred the commission to several exhibits in the resource binder:

- Exhibits 10 and 11, which illustrate current facilities and conceptual planning for the YDDC/Superblock site. Mr. Aguilar noted that long-range planning assumes the relocation of the YDDC functions to the Los Lunas corrections site;
- Exhibits 12 and 13, which lay out Los Lunas Campus development guidance. Mr. Aguilar told the commission that long-range development of the site proposes to

- consolidate local state field offices in owned facilities and partnering with local government for open space and recreation opportunities. Mr. Aguilar also noted that this campus is in need of demolition funding; and
- Exhibits 14 and 15 for guidance pertaining to the Los Lunas correctional site — a large site that houses the Central New Mexico Correctional Facility. Mr. Aguilar noted some proposed future development opportunities for the site.

Mr. Aguilar told the commission that the Los Lunas grasslands site is a 288-acre parcel located on the west side of Interstate 25. The Albuquerque Metro Area Plan identifies this site as a location to retain for long-term state use.

Mr. Aguilar referred the commission to the Las Cruces Metro Area Plan. He told the commission that in 2006, the CBPC adopted a key planning element for implementation in Las Cruces — the development of a state office building. In 2008 and 2009, the CBPC endorsed legislation to fund construction of a state office building to house consolidated administrative functions, but funding for the building has not passed the legislature.

Members of the commission requested that ARC provide the commission with a list of facilities on each campus as well as information about users of the facilities.

Request for Master Plan Work for Substance Abuse Facilities

Mr. Burciaga told the commission that the scope of work in ARC's contract with the CBPC would allow ARC to assist with master planning for substance abuse facilities in New Mexico if the CBPC directs ARC to do so. Secretary Burckle told the commission that stakeholders have met to begin a master planning process, but the GSD is waiting for the Human Services Department (HSD) to respond in order to move forward. Members of the commission asked questions about funding for a Los Lunas substance abuse facility. Pamela Nicosin, acting deputy director, Facilities Management Division (FMD), GSD, told the commission that \$6 million has been allocated, which is not enough to move forward with the construction process. The commission agreed to postpone action until the GSD has conferred with the HSD.

Cultural Affairs Department (CAD) Capitol Improvement Needs

Secretary Gonzales told the commission that the CAD owns and manages 80 museums and historic sites that consist of more than 180 buildings. The CAD houses irreplaceable artifacts and art and maintains many historic and culturally significant structures. The CAD facilities serve as destinations for children, families and visitors from out of state. The CAD's managed collections and facilities are valued at \$650 million. Secretary Gonzales told the commission that a vital part of the CAD's mission is to preserve the patrimony of the state, which is accomplished by preserving and protecting cultural assets. The CAD relies on state allocations and private donors, gifts and grants, as well as earned income for support. Secretary Gonzales told the commission that the CAD's five-year Infrastructure Capitol Improvement Plan (ICIP) includes \$10.8 million for repairs and upgrades, \$3.2 million for the completion of cultural facilities, \$2.4 million for revitalization and exhibit improvements, \$1.7 million for equipment and \$2.7 million for expansions and planning. Secretary Gonzales referred the commission to an itemized list of ICIP requests. Secretary Gonzales provided the commission with photos and details of some projects, including: repairs to avoid safety threats at Fort Stanton; completion of the New Mexico Farm and Ranch Heritage Museum Rural Life Center; exhibit updates;

replacement of a New Mexico State Library bookmobile; and space creation for collection storing.

Members of the commission asked questions about and discussed potential funding sources for the CAD; deferred maintenance and maintenance needs for the CAD; the CAD's operating expenses; income from visitors; and the funding process for public school facilities.

Judiciary Capital Improvement Needs

Mr. Simpson told the commission that courts in New Mexico do not have many capital needs. Mr. Simpson referred the commission to a list of leased magistrate court facilities. The total lease cost for fiscal year 2014 is approximately \$6.8 million. He told the commission that the Administrative Office of the Courts is looking at making some repairs in buildings. Future potential projects include security upgrades in certain courthouses, a new consolidated district magistrate court in Roosevelt County and a project in Lovington.

Members of the commission asked questions about and discussed magistrate court security; how leases are awarded; costs of building and leasing courthouses in rural areas; maintenance of courthouses; and allocations for capital improvement needs.

GSD and FMD Update

George Morgan, director, FMD, GSD, told the commission that the GSD needs funding for larger preventive maintenance needs. Ms. Nicosin referred the commission to a handout detailing major project funding, including:

- approximately \$9.6 million for the Lujan building in Santa Fe, \$6.3 million of which has been expended;
- approximately \$8.9 million in tobacco funds and approximately \$9.5 million in severance tax bonds for the New Mexico Behavioral Health Institute (NMBHI) Meadows Project in Las Vegas;
- approximately \$4.7 million for the Santa Teresa port of entry;
- approximately \$6.7 million for Central New Mexico Correctional Facility heating, ventilation and air conditioning (HVAC) upgrades in Los Lunas;
- approximately \$4.3 million for Western New Mexico Correctional Facility HVAC upgrades in Grants;
- approximately \$5,000 from the Capitol Buildings Repair Fund and \$3 million from severance tax bonds for New Mexico Law Enforcement Academy renovations;
- \$3 million for kitchen renovations at the Central New Mexico Correctional Facility in Los Lunas;
- approximately \$1.4 million for the Roswell Correctional Center wastewater treatment system;
- approximately \$1.6 million for the DPS headquarters parking lot;
- approximately \$1.5 million from the Capitol Buildings Repair Fund and approximately \$147,000 from severance tax bonds for the South Capitol Campus parking lot;
- approximately \$1.4 million for kitchen renovations at the Southern New Mexico Correctional Facility in Las Cruces;
- approximately \$1 million for upgrades to the fire sprinkler system at the Central New Mexico Correctional Facility in Los Lunas;

- \$990,000 for surveillance cameras at the NMBHI;
- \$985,000 for security systems upgrades at correctional facilities statewide;
- approximately \$858,000 for renovations to the Motor Vehicle Division (MVD) office in Clovis; and
- \$850,000 for renovations to the Epi Duran building in Las Vegas.

Ms. Nicosin told the commission that priorities for the GSD include \$700,000 for the Roswell Rehabilitation Center, just over \$150,000 for the Clovis DPS roofs and just over \$147,000 for the South Capital Campus parking lot as well as funding for many other projects, including Casa Nor Este upgrades, the roof at the YDDC education buildings, HVAC upgrades at YDDC buildings and upgrades to facilities that house the Commission for the Blind. Ms. Nicosin told the commission that the GSD also maintains a balance of \$2 million for emergencies and unforeseen needs.

Ms. Nicosin told the commission that the Corrections Department Building Fund priorities include: \$1 million for emergencies; just over \$1 million for the Central New Mexico Correctional Facility; \$500,000 for the Central New Mexico Correctional Facility kitchen; and \$467,000 for roofs at New Mexico prisons. Department of Health statewide funding priorities include: approximately \$1.4 million for various projects at the NMBHI; just under \$800,000 for the New Mexico State Veterans' Home; \$525,000 for the Sequoyah Adolescent Treatment Center; and \$611,000 for the Los Lunas Campus natatorium.

Ms. Nicosin referred the commission to photos of the Clovis MVD office before and during renovations. She provided the commission with a time line of events at the Roswell Rehabilitation Center. The building was set on fire on August 7. The GSD declared an emergency on August 9 and engaged GranCor to demolish the building. The preliminary cost estimate for asbestos abatement and demolition was \$1.2 million. On August 15, the GSD requested permission from the Historic Preservation Division of the CAD to demolish the building. On August 21, the GSD was notified that an additional cost of \$450,000 might be required due to the amount of asbestos. On September 4, the GSD set up a meeting with the Historic Preservation Division. Ms. Nicosin referred the commission to a progress report for the New Mexico Scientific Laboratories (NMSL) for building corrective measures and risk assessment. Ms. Nicosin discussed work required on the NMSL in several areas, including a redesign of the west gate; funding for a new tissue digester; installation of humidity controls; and an effluent decontamination system.

Ms. Nicosin told the commission that \$1 million was appropriated for the Los Lunas substance abuse center during the 2013 session, and \$5 million was appropriated for the center during the 2012 session. Severance tax bonds for the 2012 appropriation must be certified by the end of fiscal year 2014 if the authorization is to remain valid. Ms. Nicosin provided the commission with the GSD site selection analysis for the HHS Complex, indicating the Las Soleras site as the best out of 16 potential sites. She discussed the application of the Historical District and Landmark Act to capital outlay projects. Ms. Nicosin provided the commission with examples of questions that must be answered by agencies on their ICIP applications.

In response to public comment from the August 4, 2013 CBPC meeting, Mr. Morgan told the commission that the FMD's environmental health and safety program assesses the changing

indoor environmental conditions of buildings and works to eliminate and prevent occupant complaints and illness. The FMD has established a proactive relationship with the New Mexico Department of Environment (NMED). Samples have been taken from 13 Santa Fe buildings, and 21 tests have been performed since January 2012. Fourteen FMD employees have been trained in building operations certification.

Members of the commission asked questions about and discussed reauthorization of funding for projects; use of statewide GSD funds; project requirements; designer obligations; NMSL projects; selection of the Las Soleras site; construction of the executive office building; tracking of indoor air quality test results; and public availability of air quality information.

Public Comment

Bruce Wetherbee presented the commission with a prepared statement from Donald Alire. He told the commission that he has concerns regarding vapor intrusion in state buildings. Mr. Wetherbee stated that there are outstanding mold issues at the Public Education Department and suggested that historic potential sites for vapor intrusion should be identified so that they can be addressed in a systematic way. Mr. Wetherbee expressed concern that New Mexico is one of only a few states that do not have a protocol to address vapor intrusion.

Mr. Morgan told the commission that the FMD has been proactive regarding preventive maintenance and indoor air quality issues, which are tracked in a database that the FMD has compiled above NMED standards. Mr. Morgan told the commission that basements in many buildings in Santa Fe are monitored regularly for radon. Members of the commission requested that the FMD publish the information regarding air quality issues.

Linda Kehoe, Legislative Finance Committee, told the commission that ICIP requests from state agencies at the time were between \$700 million and \$800 million, which is several times the state capacity.

Allan Branch, Branch Realty, told the commission that he is concerned about the effects that the selection of the Las Soleras site could have on Santa Fe. He told the commission that Santa Fe currently has a 16% vacancy rate and that the Santa Fe economy is heavily reliant on government and financial services. According to Mr. Branch, the development of the HHS Complex site at Las Soleras would increase the vacancy rate in Santa Fe to 26%. He told the commission that it is important to keep government employees in the core of Santa Fe, rather than moving them out to the Las Soleras site.

Adjournment

There being no further business before the commission, the second meeting of the CBPC for the 2013 interim adjourned at 4:18 p.m.

**MINUTES
of the
THIRD MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**October 4, 2013
Room 311, State Capitol
Santa Fe**

The third meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Representative W. Ken Martinez, co-chair, on October 4, 2013 at 1:26 p.m. in Room 311 of the State Capitol.

Present

Edwynn L. Burckle, Secretary of General Services, Co-Chair
Rep. W. Ken Martinez, Speaker of the House of Representatives, Co-Chair
Muffet Foy Cuddy, Designee for Tom Church, Secretary-Designate of Transportation
Anne Green-Romig, Designee for Veronica N. Gonzales, Secretary of Cultural Affairs
Sen. Stuart Ingle, Senate Minority Floor Leader
Sen. Mary Kay Papen, Senate President Pro Tempore
Michael Marcelli, Designee for Tom Clifford, Secretary of Finance and Administration
Clarence Smith, Designee for James B. Lewis, State Treasurer
Rep. Thomas C. Taylor, House Minority Floor Leader

Absent

Ray Powell, Commissioner of Public Lands
Petra Jimenez Maes, Chief Justice of the New Mexico Supreme Court

Staff

Lisa Sullivan, Legislative Council Service (LCS)
Cassandra Jones, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file.

Friday, October 4

New Mexico Space Standards

John Petronis, commission facilities planner, Architectural Research Consultants, Inc. (ARC), told the commission that typical space issues include having the right amount of space, having the right kind of space, having space in good condition, having space that is property

configured and used and having space that meets special needs. He told the commission that most institutions have various policies and procedures to manage space in order to optimize utilization. Space standards are a key part in the management process. Mr. Petronis told the commission that the State of New Mexico Space Standards were adopted in 2000 to establish policies, standards and processes that provide state employees with functional work environments appropriate for required tasks, to maximize the efficient use of space; to provide a tool to assist in the programming and planning of new projects, major remodeling, space reassignment and leased space; and to be used as a basis for annual capital outlay requests through the General Services Department (GSD) and the Department of Finance and Administration. The standards were modeled upon space standards established by the State of Utah. In order to improve flexibility and efficiency, standards promote the use of open offices to the extent possible. Standards for common office uses are established, while specialized space is evaluated individually. The standards establish categories of space based on the purpose for which the space is intended, such as administrative positions, supervisory positions and clerical positions. Mr. Petronis presented the commission with examples of space standards for different classifications. The standards provide guidance for furniture, conference rooms and reception areas and establish a process to request space and for deviations from standards. The current standards have not been updated since their adoption in 2000. Space categories used in the standards do not necessarily align with current state personnel classifications and forms are not user friendly. The standards also apply only to office uses and do not apply to specialized uses. Moreover, current industry practices have evolved markedly since 2000.

Mr. Petronis suggested that the commission consider new or modified space standards that would take energy-efficient practices into account as well as encourage innovative and affordable workspace environments and reduce the overall space footprint. He suggested using square footage per person targets rather than prescriptive standards and standardized furnishings to reduce cost. Mr. Petronis listed current alternatives to traditional work spaces, including non-territorial options such as co-location and variable work hours and off-site options such as satellite offices and telecommuting. Mr. Petronis also suggested that the commission might consider creating judicial space planning standards to guide planning for district and magistrate courts.

Members of the commission discussed and asked questions about the adoption of space standards; Utah's space standards; space use assessment by the Facilities Management Division (FMD) of the GSD; and the creation of new standards. The commission directed ARC to begin looking at the space standards and to come back to the commission at a later date with recommendations for changes.

Approval of the Minutes

Representative Taylor moved to approve the September 3, 2013 minutes. The motion was seconded by Mr. Smith. Members of the commission voted unanimously in favor of the motion.

GSD and FMD Update

Pam Nicosin, acting deputy director, FMD, GSD, updated the commission on GSD projects for various agencies:

- the Children, Youth and Families Department currently has 15 active projects valued at \$4.56 million;
- the Department of Health currently has 33 active projects valued at \$43 million;
- the Department of Information Technology currently has three active projects valued at approximately \$381,000;
- the Department of Public Safety currently has 22 active projects valued at \$13.1 million;
- the Workforce Solutions Department currently has six active projects valued at \$3.4 million;
- the GSD currently has 44 active projects valued at \$4.1 million;
- the Human Services Department (HSD) currently has two active projects valued at \$357,555;
- the Corrections Department currently has 28 active projects valued at \$19.5 million;
- the Commission for the Blind currently has two active projects valued at approximately \$57,000;
- the Public Education Department currently has two active projects valued at approximately \$27,000;
- the State Personnel Office currently has one active project valued at approximately \$358,000;
- the Taxation and Revenue Department currently has three active projects valued at \$20.2 million; and
- the Workers' Compensation Administration currently has one active project valued at \$100,000.

Ms. Nicosin also informed the commission about declarations of emergencies by the GSD:

- a new well at the Roswell Correctional Center will cost \$166,295 and is scheduled for completion on October 31, 2013;
- demolition of the old New Mexico Rehabilitation Center will cost \$1.32 million and is scheduled for completion in March 2014; and
- a new transfer switch for the Southern New Mexico Correctional Facility will cost \$161,833 and is scheduled for completion in February 2014.

Staff Reports

Ms. Sullivan reminded the commission that only one meeting of the CBPC remains for the 2013 interim. She told the commission that the HSD would be invited to present its master plan for substance abuse centers at the November 12 meeting. She also reminded the commission to contact her regarding any proposed legislation for endorsement by the commission.

Public Comment

Marc Bertram, SF Brown, Inc., told the commission that he is concerned that the GSD has considered the Las Soleras site as a potential site for a health and human services complex. He told the commission that the site was chosen without input from the real estate community in Santa Fe and suggested that a formal request for proposals be used to select a site for the complex. He told the commission that many state agencies that currently reside in lease properties in Santa Fe could potentially relocate to the complex after construction, which would have a devastating effect on the real estate market.

Jim Ferguson said that he had mailed the commission documentation describing a proposal to create a new campus in Santa Fe to house the HSD. He told the commission that his analysis indicated that taking advantage of the proposal would result in a \$1.6 million per year rent reduction for the HSD and would reduce the agency's overall footprint by 20%. He requested that the commission and the GSD consider his proposal.

Adjournment

There being no further business, the third meeting of the CBPC for the 2013 interim adjourned at 2:13 p.m.

**MINUTES
of the
FOURTH MEETING
of the
CAPITOL BUILDINGS PLANNING COMMISSION**

**November 12, 2013
Room 309, State Capitol**

The fourth meeting of the Capitol Buildings Planning Commission (CBPC) was called to order by Edwynn L. Burckle, secretary of general services, on November 12, 2013 at 10:12 a.m. in Room 309 of the State Capitol.

Present

Edwynn L. Burckle, Secretary of General Services, Co-Chair
Rep. W. Ken Martinez, Speaker of the House of Representatives, Co-Chair
Tom Clifford, Secretary of Finance and Administration
Anne Green-Romig, Designee for Veronica N. Gonzales, Secretary of Cultural Affairs
Loren Hatch, Designee for Tom Church, Secretary-Designate, Department of Transportation (NMDOT)
Elaine Olah, Designee for Ray Powell, Commissioner of Public Lands
Sen. Mary Kay Papen, Senate President Pro Tempore
Patrick Simpson, Designee for Petra Jimenez Maes, Chief Justice of the New Mexico Supreme Court
Clarence Smith, Designee for James B. Lewis, State Treasurer

Absent

Sen. Stuart Ingle, Senate Minority Floor Leader
Rep. Thomas C. Taylor

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
Lisa Sullivan, LCS
Cassandra Jones, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file.

Tuesday, November 12

Approval of Agenda

Members of the commission voted unanimously in favor of adopting the agenda.

Adoption of Minutes

Members of the commission voted unanimously in favor of adopting the minutes of the October 4, 2013 CBPC meeting.

Corrections Department Security Upgrades

Gregg Marcantel, secretary, Corrections Department (NMCD), discussed some history of the NMCD and introduced NMCD staff.

Patrick Castillo, facility manager, NMCD, informed the commission that the NMCD needs capital for security upgrades. Current prison security measures include fences with razor wire, automated sensors, electronic cell doors, video surveillance and perimeter lighting. He referred the CBPC to a graphic depiction of the stun-fence perimeter at the Western New Mexico Correctional Facility (WNMCF). The stun fence is separated into 10 zones that can be isolated and operated independently of one another. Mr. Castillo showed the commission photos of various security measures around several NMCD prisons, including cell doors and control systems.

Tim Oakley, information technology officer, NMCD, told the commission that the current closed-circuit television (CCTV) systems are failing statewide and that the currently used analog technology is outdated. The NMCD is implementing new technology that utilizes power over ethernet (PoE) IP cameras. The NMCD is using as much existing infrastructure as possible to minimize cost and is using a hybrid approach rather than removing all of the old technology and replacing it with new technology at one time. For the past decade, the NMCD has invested in CCTV analog technology and has used multiple 16-channel analog digital video recorders (DVRs) in each facility. This technology captured from one to four frames per second and had a video recording retention time of around 30 days. Mr. Oakley told the commission that analog video is not very clean and that DVRs in facilities have been failing at a high rate, often contributing to a loss in evidence. The agency relies heavily on integrators to troubleshoot and maintain analog equipment, and because of environmental conditions, the typical life expectancy of a DVR in a prison is approximately one year. The NMCD has created a model to follow in the future that implements a unified solution combining video management and analytics into a single networked platform. The model does not require any license renewals or software management requirements. The model leverages current cabling infrastructure to convert current analog cameras to IP and to implement high-definition cameras. The NMCD will be able to use operable analog cameras until they break and then replace them with digital technology. The use of PoE cameras eliminates the need to run additional dedicated power to each camera. Digital cameras can record video at 10 to 15 frames per second, creating a video that is more useful as evidence. The NMCD will also utilize cameras that provide 180-degree or 360-degree viewing coverage in certain areas in order to help eliminate the need for multiple cameras to ensure

proper coverage. New technology was purchased for and implemented at the central office and the Central New Mexico Correctional Facility (CNMCF) in 2013. Additional gateways, storage and cameras need to be purchased for certain areas at the CNMCF as well as at other prisons around the state. Mr. Oakley discussed the costs and benefits of replacing the old technology.

D Aurora Sanchez, deputy secretary, NMCD, referred the commission to pictures of other capital projects at prisons around the state. Mr. Castillo told the commission that prisons around the state have many roofing problems and discussed current roof projects.

Members of the commission asked questions about and discussed: certain security measures; the use of audio recordings in the prisons; video storage; 2014 budget requests for security upgrades and new technology; and the leveraging of state funds.

Corrections Department — Los Lunas Campus

Ms. Sanchez informed the commission that the NMCD proposal for the Los Lunas Training Center Campus would include a multi-use campus with offices for staff, including the Los Lunas probation and parole staff, which is currently in leased space, offender management services staff, security threat management staff, office of professional standards staff and recidivism reduction staff. The campus would also house recovery programs for men and women, transition housing, vocational and reentry programs and satellite offices for other agencies. The NMCD proposes a phased occupation schedule by which staff offices would be occupied during phase 1, the men's recovery academy expansion would occur during phase 2, men's and women's transitional housing would be provided during phase 3 and reentry programs for offenders would be provided during phase 4. An architect from the Facilities Management Division (FMD) of the General Services Department (GSD) is working on an office layout for staff occupation. The NMCD and FMD staff are working on cost estimates for necessary building changes or infrastructure upgrades. Ms. Sanchez told the commission that NMCD inmates are currently cleaning up the grounds and the buildings at the campus.

CBPC members asked questions about and discussed: agencies that currently occupy the Los Lunas Campus; how agencies could work together when located centrally; existing infrastructure at the campus; community input; and NMCD services that might be provided at the campus.

General Services Department Update

Pam Nicosin, deputy director, FMD, GSD, told the commission that the FMD is responsible for 6.6 million square feet of space in New Mexico and that FMD buildings are in various states of disrepair. A 2009 facility assessment identified \$476.8 million in project cost requirements, including state buildings that are at the end of their life cycles on infrastructure and building systems. The average age of buildings under FMD jurisdiction is 44.6 years, and many facilities suffer from deferred maintenance, which results in a reactive approach to building and equipment repairs. The GSD's fiscal year 2014 budget requests include \$4.5 million for statewide repairs, \$3 million for building repairs, \$900,000 for assessments, planning, design and renovations and \$1.4 million for facility condition assessments. The FMD's first priority is \$10

million for repairs, renovations and deferred maintenance. Ms. Nicosin reviewed a list of statewide priority projects, including several Department of Public Safety sites, heating, ventilation and air conditioning units, roofs and unforeseen emergencies. Ms. Nicosin discussed past appropriations to the FMD for statewide use, including approximately \$3.5 million in 2010, \$4 million in 2011, \$500,000 in the 2012 special session and \$4.5 million in 2013. Other FMD priorities include demolition of several buildings statewide and \$2 million for architectural and engineering services to provide planning and pre-design to investigate facility alternatives for public service delivery and to assess which alternative best solves a specific problem and at what cost. The FMD is proposing legislation related to the naming of public buildings.

CBPC members asked questions about: proposed funding for architectural and engineering services; how design and construction costs for projects are estimated; staffing levels at the FMD; and project delivery systems.

Infrastructure Capital Improvement Plan (ICIP) Matrix and Decision Process

Linda Kehoe, analyst for the Legislative Finance Committee (LFC), told the commission that the capital outlay capacity for 2014 includes \$186.1 million from senior severance tax bonds, an amount \$37.5 million less than in 2013, and \$165 million from general obligation bonds. Of that capacity, \$232.2 million has been earmarked for public school construction, water projects, tribal infrastructure and colonias infrastructure. On average, state agencies generally request \$700 million to \$800 million for capital outlay, and local political subdivisions generally identify approximately \$1.2 billion for top-priority needs such as water, wastewater, roads and public health and safety facilities. Ms. Kehoe told the commission that, to date, five major departments are requesting \$120.7 million for completion of projects and to address critical health and safety issues. Based on LFC staff tracking, over \$150 million is needed to complete or continue phased and ongoing projects at state facilities. The NMDOT did not submit an ICIP request due to a decline in State Road Fund revenues. Ms. Kehoe told the commission that the special schools are requesting over \$300 million for new buildings or major renovations. During the coming days, LFC staff will develop a framework of proposed funding to present to the LFC. The LFC will review staff proposals in December. Ms. Kehoe told the commission that there is no real process for assessing local projects. A sampling of projects showed that, generally, local projects do not have enough money to go forward.

Debbie Romero, bureau chief, Capital Outlay Bureau, Department of Finance and Administration, told the commission that over the next five years, she believes that New Mexico will have more than \$4 billion for state and local capital outlay projects, which she believes is sufficient to meet the critical infrastructure needs of the state if the money is spent prudently. She told the commission that the state has an opportunity to address the long-standing weaknesses in state capital outlay. She told the commission that the state needs to improve planning and prioritization, conduct facility condition assessments, inventory capital assets and identify and fund operating and maintenance costs.

CBPC members asked questions about and discussed: the expertise of agencies and localities while going through the ICIP process; how projects are prioritized; available funding;

the bonding process; various local and state projects; allocated capital outlay money that is unexpended; and critical projects.

Behavioral Health Facility Master Plan for Human Services Department (HSD) Substance Abuse Treatment Centers

Brent Earnest, deputy secretary, HSD, told the CBPC that there is a substance abuse treatment center in Los Lunas that opened in 2012. It is an outpatient center and was envisioned as the first phase of a project that would eventually include residential treatment centers for men and women. Money has been allocated in recent years, but not enough to complete the expansion. He told the commission that other treatment facilities in the state need to be assessed in order to determine whether or not the Los Lunas treatment center should be expanded.

Secretary Burckle reminded the CBPC that at earlier CBPC meetings, the CBPC discussed directing Architectural Research Consultants (ARC) to assist the HSD and Department of Health (DOH) to assess the state's treatment facilities and create a behavioral health facility master plan. Mr. Burciaga told the commission that ARC could perform the work under its current contract at the direction of the CBPC. Members of the commission asked questions about the scope of work. Secretary Burckle directed ARC to put together a short proposal of contractual objectives and proposed budget for assisting with master planning and submit it to LCS staff for distribution to CBPC members.

DOH — New Mexico Behavioral Health Institute's Meadows Project

Michael Browne, infrastructure manager, DOH, told the CBPC that the Meadows project is in phase 2 and that phase 3 has been included in the department's ICIP request for 2014. The project has 180 total beds. The total project cost to date is approximately \$38 million, and the department is requesting an additional \$23 million for phase 3.

CBPC members discussed and asked questions about the projects.

State Records Center and Archives Expansion and Renovations

Linda Trujillo, deputy state records administrator, State Records Center and Archives, told the CBPC that all of the center's facilities are full. The center has submitted an expansion request to double the Santa Fe facility and enlarge the archives to allow another 41,000 linear feet in high-density shelving. The expansion request is based upon a five-year study that was done and it is projected that the new space will last until at least 2034. The center has also requested funding to double the storage capacity in Albuquerque and install new shelving. The center will need a little over \$11 million to complete the expansion.

CBPC members asked questions about and discussed: disposal of records; time lines for disposal; records and archives storage; the authority of staff to dispose of records; reviews and audits of records that can legally be destroyed; digital storage; cost of transferring to digital storage; agencies waiting for space; capacity of the records and archives center; and leased space in Albuquerque.

ARC Update

John Petronis, ARC, informed the commission that ARC has engaged in two different activities since the last meeting: updating the building inventory and preparing a proposal to update space standards. Mr. Petronis told the commission that a few agencies still have not responded to requests for reviewing agency information regarding the building inventory and that ARC is working to acquire the most comprehensive information as soon as possible. He also reminded the commission that at the October CBPC meeting, the commission directed ARC to review space standards and prepare a proposal for updates. The proposal assumes that standards can be simplified and adapted to best industry practices. Mr. Petronis discussed certain preliminary proposals. He told the CBPC that ARC would like to develop a preliminary proposal to review in two workshops and, based on the result of the workshops, to present to the commission. The effort would cost approximately \$20,200 and would take three to four months to complete. Senator Papen moved to allow ARC to continue with the work. The motion was seconded by Ms. Olah and passed without objection.

Adjournment

Members of the commission discussed future meetings and topics for discussion. There being no further business, the fourth meeting of the CBPC for the 2013 interim adjourned at 2:39 p.m.